

MADELINE L. BUTY [SBN 157186]
BUTY & CURLIANO LLP
555 City Center
555 – 12th Street, Suite 1280
Oakland, CA 94607
Tel: 510.267.3000
Fax: 510.267.0117
E: mlb@butycurliano.com

Attorneys for Defendant:
BAE SYSTEMS SAN DIEGO SHIP REPAIR INC.
[formerly known as SOUTHWEST MARINE, INC.]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EDL

WILLIAM MATTHIS, JR.,

Plaintiff,

1

ASBESTOS DEFENDANTS (BOP),

Defendants.

C No. 07 2866

**BAE SYSTEMS SAN DIEGO SHIP
REPAIR INC.'S NOTICE OF TAG-
ALONG ACTION [MDL 875]**

17 TO PLAINTIFF WILLIAM MATTHIS, JR., DEFENDANTS, AND HIS ATTORNEYS OF
18 RECORD:

PLEASE TAKE NOTICE that a Notice of Removal of this action was filed in the United States District Court for the Northern District of California on June 1, 2007.

A copy of the Notice of Removal filed in the Northern District of California is attached to this Notice and is served and filed herewith.

DATED: June 1, 2007

BUTY & CURLIANO LLP

By Malvina Butry

MADELINE L. BUTY
Attorneys for Defendant
BAE SYSTEMS SAN D

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NOTICE OF REMOVAL

MADELINE L. BUTY [SBN 157186]
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Oakland, CA 94607
Tel: 510.267.3000
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Atorneys for Defendant:
BAE SYSTEMS SAN DIEGO SHIP REPAIR INC.
[formerly known as SOUTHWEST MARINE, INC.]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

WILLIAM MATTHIS, JR.,) No.
Plaintiff,)
v.)
ASBESTOS DEFENDANTS (B&P),)
Defendants.)
BAE SYSTEMS SAN DIEGO SHIP
REPAIR INC.'S NOTICE OF
REMOVAL UNDER 28 U.S.C.
SECTION 1442(a)(1)

TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA:

PLEASE TAKE NOTICE that defendant BAE SYSTEMS SAN DIEGO SHIP REPAIR INC., (formerly known as SOUTHWEST MARINE, INC., but hereinafter referred to as "BAE"), hereby petitions for removal of the above-entitled action from the Superior Court of the State of California, in and for the City and County of San Francisco, to this Court pursuant to 28 U.S.C. §§1442(a)(1) and 1446. This action is a civil action over which this Court has subject matter jurisdiction under 28 U.S.C. § 1331, as the action arises under the Constitution, laws, or treaties of the United States within the meaning of that statute by virtue of plaintiff's attempt to adjudicate claims with respect to persons acting under an officer of the United States pursuant to 28 U.S.C. § 1442(a)(1). The grounds for removal are as follows:

1 1. On April 2, 2007, plaintiff filed a civil action in the Superior Court for the State of
 2 California in and for the County of San Francisco entitled *William Matthis, Jr. v. Asbestos*
 3 *Defendants (B&P)*, Case No. 274138 alleging personal injury - asbestos. BAE was personally
 4 served with the Summons and Complaint and a Preliminary Fact Sheet on May 4, 2007. The
 5 documents served on BAE are attached hereto as Exhibit A.

6 2. The Complaint does not identify the specific vessel or vessels on which plaintiff
 7 worked which allegedly caused plaintiff to be exposed to asbestos. However, plaintiff's Complaint
 8 states the exposure occurred at a BAE facility, (then known as Southwest Marine, Inc.) on an
 9 unidentified Navy vessel which work allegedly involved asbestos or asbestos containing products
 10 which allegedly caused and/or contributed to plaintiff's subsequent injury. The only ship on which
 11 plaintiff claims to have worked during the relevant time was "one unknown Navy ship." As such,
 12 the only claim of exposure as to BAE would relate to a Naval vessel.

13 3. According to plaintiff's interrogatory responses, plaintiff was employed by Owens-
 14 Corning Fiberglas at Southwestern Marine in San Diego. While working at this site, he worked on
 15 one unidentified Navy vessel installing insulation on pipes. A true and correct copy of plaintiff's
 16 Response to Defendants' Standard Interrogatories, Set One, is attached hereto as Exhibit B. Work
 17 performed on Naval and/or military vessels complied with all specifications and military
 18 requirements, including NAVSEA and NAVSHIPS regulations.

19 4. 28 U.S.C. § 1446(b) provides that where the case stated by the original pleading is
 20 not removable, a Notice of Removal must be filed within 30 days of receipt by the defendant of
 21 "other paper from which it may first be ascertained that the cause is one which is or has become
 22 removable." The elements of removability must be "specifically indicated" in the pleading or other
 23 "official paper" before the 30-day period begins to run. *Riggs v. Continental Baking Co.* (N.D. Cal.
 24 1988) 678 F.Supp. 236, 238. The allegations in the Complaint, along with plaintiff's Responses to
 25 Standard Asbestos Case Interrogatories arguably put BAE on notice that plaintiff's action was
 26 removable within the meaning of section 1446(b). BAE is, as required, filing this Notice of
 27 Removal within thirty days after receipt of its first notice of the removability of the action.

28 5. Plaintiff's Complaint claims BAE is liable for plaintiff's alleged asbestos-related

1 injuries on theory of premises owner/contractor liability. The purported basis of the claim against
 2 BAE is as a premises owner and for its alleged work on a Naval vessel on which plaintiff also
 3 worked.

4 6. BAE is entitled to remove this matter under 28 U.S.C. § 1442(a)(1) because BAE
 5 was acting under the direction of the United States Navy, United States military and/or federal
 6 officers of the United States within the meaning of 28 U.S.C. § 1442(a)(1) in working onboard any
 7 Navy vessel on which plaintiff claims exposure. *Mesa v. California* (1989) 489 U.S. 121, 103
 8 L.Ed.2d 99, 109 S. Ct. 959; *Pack v. ACandS, Inc.* (D. Md. 1993) 838 F.Supp. 1099, 1101. Since
 9 BAE performed work on a military vessel on which plaintiff worked, and such work was
 10 responsible for his injuries, said work was performed pursuant to contracts and specifications
 11 executed by an officer of the United States, including the United States Navy or under the direction
 12 and control of officers of the United States.

13 7. On the Navy vessels, BAE's work was performed pursuant to mandatory
 14 comprehensive and detailed specifications, plans and/or other drawings that were created,
 15 approved, and accepted by the United States Military and/or the United States Navy. Therefore,
 16 under the terms of its contract with the United States, BAE's work on these vessels was performed
 17 under the authority and control of officers of the United States.

18 8. In *Fung v. Abex Corp.* (N.D. Cal 1993) 816 F. Supp. 569, the Court addressed the
 19 propriety of the removal of a case involving plaintiff's alleged exposure to asbestos while aboard
 20 submarines manufactured by General Dynamics. In denying plaintiff's Motion to Remand, the
 21 Court stated that to satisfy removal under 28 U.S.C. § 1442(a), General Dynamics must show that it
 22 “(1) acted under the direction of a federal officer, (2) raised a federal defense to plaintiff's claims,
 23 and (3) demonstrated a causal nexus between plaintiff's claims and the acts it performed under
 24 color of federal office.” *Id.* at 571-72.

25 9. During all phases of BAE's work on a Navy vessel pursuant to United States
 26 contracts and specifications, BAE performed its work under the control and supervision of officers
 27 of the United States Military including, but not limited to, Maritime Commission and/or the United
 28 States Navy. Moreover, BAE has asserted a federal defense to this action: immunity from liability

1 for injuries arising from any exposure to asbestos on the vessel, worked on by BAE and upon
 2 which plaintiff worked. See *Boyle v. United Technologies Corp.* (1988) 487 U.S. 500, 101 L.Ed.2d
 3 442, 108 S. Ct. 2510; *Niemann v. McDonnell Douglas Corp.* (S.D. Ill. 1989) 721 F.Supp. 1019.
 4 Since BAE has raised a proper claim of having acted under color of a federal officer or agency in
 5 its work on the vessel upon which plaintiff claims exposure, removal of this civil action pursuant
 6 to 28 U.S.C. § 1442(a)(1) is proper. See *Williams v. Brooks* (5th Cir. 1991) 945 F. 2d 1322, 1325
 7 fn.2.

8 10. Should plaintiff file a Motion to Remand this case, BAE respectfully requests an
 9 opportunity to respond more fully in writing, including the submission of affidavits and authorities.

10 11. BAE is not required to notify and obtain the consent of any other defendant in this
 11 action in order to remove plaintiff's action as a whole under 28 U.S.C. §1442(a)(1). *Ely Valley*
 12 *Mines, Inc. v. Hartford Accident & Indemnity Co.* (9th Cir. 1981) 644 F.2d 1310, 1315. The
 13 existence of a single removable claim allows removal of the entire action. *National Audubon*
 14 *Society v. Department of Water & Power of Los Angeles* (E.D.Cal. 1980) 496 F. Supp. 499, 509.

15 16. Notice of this removal has been filed with the State Court and provided to all
 16 adverse parties pursuant to 28 U.S.C. § 1446(d). A Notice of Tag-Along Action, identifying the
 17 coordinated pretrial proceedings in the Eastern District of Pennsylvania (In re Asbestos Products
 18 Liability Litigation, MDL Docket No. 875) to which this case may be transferred, will be filed with
 19 this Court.

20 WHEREFORE, BAE respectfully requests that this action be removed to this Court.

21 DATED: June 1, 2007

BUTY & CURLIANO LLP

22 By MADELINE BUTY
 23 MADELINE L. BUTY
 24 Attorneys for Defendant
 BAE SYSTEMS SAN DIEGO SHIP REPAIR INC.

EXHIBIT A

1 DAVID R. DONADIO, ESQ., S.B. #154436
 2 ERIC C. SOLOMON, ESQ., S.B. #119131
 3 BRAYTON♦PURCELL LLP
 Attorneys at Law
 4 222 Rush Landing Road
 P.O. Box 6169
 Novato, California 94948-6169
 (415) 898-1555

5 Attorneys for Plaintiff

CASE MANAGEMENT CONFERENCE SET

ENDORSED
 FILED
San Francisco County Superior Court

APR - 2 2007

GORDON PARKER, Clerk
 BY: PARAM NATT

Deputy Clerk

6 APR 17 2008 -1PM

7 DEPARTMENT 206

8 SUPERIOR COURT OF CALIFORNIA

9 COUNTY OF SAN FRANCISCO

10

11 WILLIAM MATTHIS, JR.,)	ASBESTOS
12 Plaintiff,)	No.
13 vs.)	CGC-07-274138
14 ASBESTOS DEFENDANTS (B♦P))	COMPLAINT FOR PERSONAL INJURY -
15 As Reflected on Exhibits B, B-1, C, H,)	ASBESTOS
16 I; and DOES 1-8500; and SEE)	
ATTACHED LIST.)	

17 1. Plaintiff WILLIAM MATTHIS, JR. was born October 30, 1955.
 18 2. The @Brayton♦Purcell Master Complaint for Personal Injury [and Loss of
 19 Consortium]- Asbestos (hereinafter "Master Complaint") was filed January 2, 2003, in San
 20 Francisco Superior Court. A copy of the Master Complaint and General Order No. 55 may be
 21 obtained upon request from Brayton♦Purcell, and designated portions of the Master Complaint
 22 are incorporated by reference herein pursuant to the authority conferred by General Order No. 55.
 23 Plaintiff's claims are as set forth in said Master Complaint against defendants herein as follows:

24 ///

25 ///

26 ///

27 THIS CASE IS SUBJECT TO
 28 MANDATORY ELECTRONIC FILING
 PURSUANT TO AMENDED G.O. 158

1
2
3 BUCYRUS INTERNATIONAL, INC.
4 BECHTEL CORPORATION (DE)
5 SEQUOIA VENTURES, INC.
6 CROWN CORK & SEAL COMPANY, INC.
7 THOMAS DEE ENGINEERING CO., INC.
8 GARLOCK SEALING TECHNOLOGIES, LLC
9 GENERAL ELECTRIC COMPANY
10 OWENS-ILLINOIS, INC.
11 PARKER-HANNIFIN CORPORATION
12 PLANT INSULATION COMPANY
13 QUINTEC INDUSTRIES, INC.
14 RAPID-AMERICAN CORPORATION
15 THORPE INSULATION COMPANY
16 UNIROYAL HOLDING, INC.
17 VIACOM, INC.
18 WESTERN MacARTHUR COMPANY
19 MacARTHUR COMPANY
20 WESTERN ASBESTOS COMPANY
21 HONEYWELL INTERNATIONAL, INC.
22 DAIMLERCHRYSLER CORPORATION
23 FORD MOTOR COMPANY
24 GENERAL MOTORS CORPORATION
25 INTERNATIONAL TRUCK & ENGINE CORPORATION
26 MAZDA NORTH AMERICAN OPERATION
27 CSK AUTO, INC.
28 GOODLOE E. MOORE INC
29 HOOKER INDUSTRIES, INC.
30 NATIONAL STEEL AND SHIPBUILDING COMPANY
31 HOPEMAN BROTHERS, INC.
32 J.T. THORPE & SON, INC.
33 SOUTHWEST MARINE, INC.
34 CHEVRON PRODUCTS COMPANY
35 CHEVRON U.S.A., INC.
36 PACIFIC GAS & ELECTRIC COMPANY
37 SOUTHERN CALIFORNIA EDISON COMPANY
38 METROPOLITAN LIFE INSURANCE COMPANY
39 GATKE CORPORATION
40 AMERICAN CONFERENCE OF GOVERNMENTAL INDUSTRIAL HYGIENISTS, INC.
41 UNDERWRITERS LABORATORIES, INC.
42 PNEUMO ABEX LLC
43 and DOES 1-8500,
44
45 Defendants.
46
47
48

27
28 William Matthis, Jr. vs. Asbestos Defendants (B&P)
San Francisco Superior Court

DEFENDANTS* ON EXHIBITS:

Cause of Action	B	B-1	C	D	E	F	G	H	I	J	K	L	M
First (Negligence)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Second (Strict Liability)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Third (False Representation)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fourth (Loss of Consortium)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fifth (Premises Owner/Contractor Liability)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sixth, Seventh, Eighth (Unseaworthiness, Negligence [Jones Act], Maintenance and Cure)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ninth (Longshore and Harbor Workers Compensation Act [LHWCA])	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tenth, Eleventh (F.E.L.A.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Twelfth, Thirteenth (Respiratory Safety Devices)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fourteenth, Fifteenth (Brake Shoe Grinding)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>									
Sixteenth (Concert of Action)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>									
Seventeenth, Eighteenth (Fraud, Deceit/Negligent Misrepresentation/Concealment)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>									
Nineteenth (Fraud/Deceit/Intentional Misrepresentation)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>									
Twentieth (Fraud/Deceit - Kent)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*and their alternate entities as set forth in the Master Complaint or on any Exhibit.

1 3. Plaintiff's asbestos-related injury, date of diagnosis, employment status, and
2 history of exposure to asbestos are as stated on Exhibit A.

3 4. Plaintiff's claims against defendant VIACOM, INC. (successor by merger to
4 CBS CORPORATION which is successor-in-interest to WESTINGHOUSE ELECTRIC
5 CORPORATION) exclude military and federal government jobsites.

6 | Dated: 7/1/07

BRAYTON PURCELL LLP

By

David R. Donadio
Attorneys for Plaintiff

EXHIBIT A

2 Plaintiff's exposure to asbestos and asbestos-containing products occurred at various
3 locations both inside and outside the State of California, including but not limited to:

4	<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
5	Neighborhood Youth Corp. San Diego, CA	Naval Base 32 nd Street San Diego, CA	Mechanic (Helper)	6/1973-9/1973
6	US Army	Ford Ord Monterey, CA	Private	3/3/1974-4/1974 (6 weeks)
7		US Army Fort Sill Lawton, OK	Private (E2)	4/1974-mid-May 1974 (6 weeks)
8		US Army Fort Hood Army Base Killeen, TX	Artilleryman	mid-May 1974- 3/3/1977
9	National Steel & Shipbuilding	National Steel & Shipbuilding, San Diego, CA 2 unknown LSD naval ships	Welder	10/1977-3/1979
10	Thorpe Insulation	Naval Repair Facility 32 nd Street Annex San Diego, CA 1 unknown naval ship	Insulator	3/1979- 7/1979 (1 month)
11		Thorpe Insulation Shop, Carson, CA		(3 months)
12	Thorpe Insulation	San Onofre Nuclear Power Plant (SCE), CA	Insulator	8/1979 (3 weeks)
13	Owens-Corning Fiberglas	National Steel & Shipbuilding, San Diego, CA 6-7 ships	Insulator	1979-1980; 1983; 1985 (on/off: about 4 years total)
14		<u>ST. WORTH (MA-299)</u>		
15		<u>EXXON VALDEZ (1986)</u>		
16	///			
17	///			

EXHIBIT A

EXHIBIT A (cont'd.)

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
Owens-Corning Fiberglas	Naval Repair Facility North Island San Diego, CA 3-4 aircraft carriers	Insulator	1979-1985
	<u>RANGER</u> (CVA-61)		
	<u>KITTY HAWK</u> (CVA-63)		
	<u>CONSTELLATION</u> (CVA-64)		
Owens-Corning Fiberglas	Naval Repair Facility 32 nd Street Annex San Diego, CA 4 unknown navy ships	Insulator	1979-1985
Owens-Corning Fiberglas	Southwest Marine San Diego, CA 1 unknown navy ship	Insulator	1979-1985
Desco Insulation	San Onofre Nuclear Power Plant (SCE), CA	Insulator	approximately 1981-1983 (3-4 months)
Thorpe Insulation			(approximately 6 months)
Owens-Corning Fiberglas			(4 months)
AC & S Insulation or Metalclad	Unknown Power Plant Newport Beach, CA	Insulator	1981 or 1982
P.W. Stevens	US Post Office Los Angeles	Insulator	1983
AC & S or Metalclad	Los Angeles Department of Water and Power, Los Angeles, CA	Insulator	1984
Metalclad	San Onofre Nuclear Power Plant (SCE), CA	Insulator	mid-1980s
Bechtel	San Onofre Nuclear Power Plant (SCE), CA	Insulator	mid-1980s
Thorpe Insulation	PG & E Diablo Canyon Powerhouse CA	Insulator	mid-1980s
///			EXHIBIT A

EXHIBIT A (cont'd.)

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
Thorpe Insulation	Chevron Refinery Wilmington, CA	Insulator	4/1985-6/1985
	Chevron Refinery Shop, Wilmington, CA		
Performance Contracting Inc.	National Steel & Shipbuilding, San Diego, CA	Insulator	1/1986-3/1986; 5/1986-12/1986

NON-OCCUPATIONAL EXPOSURE:

FRICITION EXPOSURE:

10 1967 FORD GTO: Plaintiff purchased a used car in 1979 or 1980. During that same year,
11 plaintiff replaced the original carburetor, original manifold, original header gaskets, and brakes.
12 Plaintiff purchased a HOOKER HEADERS gasket kit. Plaintiff was assisted by cousin Henry
Conwright, San Diego, California.

13 1981 MAZDA 626 Coupe: Plaintiff purchased this car new in 1981. Plaintiff replaced the original brakes and was assisted by cousin Henry Conwright, San Diego, California.

Plaintiff and his cousin, Henry Conwright, San Diego, California, purchased A.C. DELCO
brakes for majority of the cars they worked on from KRAGEN, Euclid Avenue, San Diego,
California; and AUTOZONE, Federal Boulevard, San Diego, California. Plaintiff currently
contends that he was exposed to asbestos during these vehicle repairs.

Plaintiff's exposure to asbestos and asbestos-containing products caused severe and permanent injury to the plaintiff, including, but not limited to breathing difficulties, asbestosis, and/or other lung damage, and increased risk and fear of developing mesothelioma, lung cancer and various other cancers. Plaintiff was diagnosed with asbestosis on or about August 2006.

Plaintiff retired from his last place of employment as a result of becoming disabled due to both an illness and an injury not related to asbestos. He has therefore suffered no disability from his asbestos-related disease as "disability" is defined in California Code of Civil Procedure § 340.2.

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EXHIBIT A

EXHIBIT B

DEFENDANTS

3	BUCYRUS INTERNATIONAL, INC.	WESTERN MacARTHUR COMPANY
	BECHTEL CORPORATION (DE)	MacARTHUR COMPANY
4	SEQUOIA VENTURES, INC.	WESTERN ASBESTOS COMPANY
	CROWN CORK & SEAL COMPANY, INC.	HONEYWELL INTERNATIONAL, INC.
5	THOMAS DEE ENGINEERING CO., INC.	DAIMLERCHRYSLER CORPORATION
	GARLOCK SEALING TECHNOLOGIES, LLC	FORD MOTOR COMPANY
6	GENERAL ELECTRIC COMPANY	GENERAL MOTORS CORPORATION
	OWENS-ILLINOIS, INC.	INTERNATIONAL TRUCK & ENGINE
7	PARKER-HANNIFIN CORPORATION	CORPORATION
	PLANT INSULATION COMPANY	MAZDA NORTH AMERICAN OPERATION
8	QUINTEC INDUSTRIES, INC.	CSK AUTO, INC.
	RAPID-AMERICAN CORPORATION	GOODLOE E. MOORE INC
9	THORPE INSULATION COMPANY	HOOKER INDUSTRIES, INC.
	UNIROYAL HOLDING, INC.	DOES 1-800
10	VIACOM, INC.	

ALTERNATE ENTITY

12	BUCYRUS INTERNATIONAL, INC.	BUCYRUS-ERIE MARION POWER SHOVEL COMPANY, THE OSGOOD COMPANY GENERAL EXCAVATOR COMPANY
13		
14		
15	CROWN CORK & SEAL COMPANY, INC.	MUNDET CORK COMPANY
16	GARLOCK SEALING TECHNOLOGIES, LLC	GARLOCK, INC. COLTEC INDUSTRIES, INC. FAIRBANKS-MORSE FAIRBANKS MORSE ENGINES BELMONT PACKING & RUBBER CO. GARLOCK PACKING CO. U.S. GASKET CO. GOODRICH CORPORATION ENPRO INDUSTRIES, INC.
17		
18		
19		
20		
21	GENERAL ELECTRIC COMPANY	MATTERN X-RAY HOTPOINT ELECTRIC APPLIANCE COMPANY LIMITED TRUMBULL ELECTRIC MANUFACTURING COMPANY G E INDUSTRIAL SYSTEMS CURTIS TURBINES PARSONS TURBINES GENERAL ELECTRIC JET ENGINES
22		
23		
24		
25	SEQUOIA VENTURES, INC.	BECHTEL CORPORATION (DE)
26	UNIROYAL HOLDING, INC.	UNIROYAL, INC.
27	///	
28	///	

EXHIBIT B

1 EXHIBIT B (cont'd.)2 ALTERNATE ENTITY

3	VIACOM, INC.	CBS CORPORATION WESTINGHOUSE ELECTRIC CORPORATION WESTINGHOUSE ELECTRIC AND MANUFACTURING COMPANY B.F. STURTEVANT KPIX TELEVISION STATION PARAMOUNT COMMUNICATIONS, INC.
7	HONEYWELL INTERNATIONAL, INC.	HONEYWELL, INC. HONEYWELL CONTROLS ALLIEDSIGNAL, INC. ALLIED-SIGNAL, INC. THE BENDIX CORPORATION BENDIX PRODUCTS AUTOMOTIVE DIVISION BENDIX PRODUCTS DIVISION, BENDIX AVIATION CORP. BENDIX HOME SYSTEMS ALLIED CORPORATION ALLIED CHEMICAL CORPORATION GENERAL CHEMICAL CORPORATION FRAM FRICTION MATERIALS OF LOS ANGELES NORTH AMERICAN REFRactories COMPANY EM SECTOR HOLDINGS INC. UNIVERSAL OIL PRODUCTS COMPANY BOYLSTON CORPORATION EHRHART & ASSOCIATES, INC. EHRHART & ARTHUR, INC. GARRETT AIR RESEARCH CORP. STANLEY G. FLAGG & CO. MERGENTHALER LINOTYPE COMPANY ELTRA CORPORATION BUNKER RAMO-ELTRA CORPORATION
19	GENERAL MOTORS CORPORATION	NEW DEPARTURE CHEVROLET A.C. DELCO CO. BUICK AUTOMOTIVE CORPORATION CADILLAC PONTIAC LaSALLE OLDSMOBILE GM GOODWRENCH ROCHESTER PRODUCTS DIVISION EUCLID ROAD MACHINERY CO. FRIDGIDAIRE (for exposure pre 4/9/1979)
26	GOODLOE E. MOORE INC	GEMCO INSULATION
27	HOOKER INDUSTRIES, INC.	HOOKER HEADERS, INC.
28	///	EXHIBIT B

1 EXHIBIT B (cont'd.)

2 ALTERNATE ENTITY

3 FORD MOTOR COMPANY BRITISH LEYLAND MOTORS, INC.
4 BRITISH MOTOR CORPORATION
JAGUAR CARS, INC.
5 TRIUMPH
LINCOLN CONTINENTAL
AUSTIN HEALEY

6 CSK AUTO, INC. KRAGEN AUTO SUPPLY CO.
7 NORTHERN AUTOMOTIVE CORPORATION
CHECKER AUTO PARTS, INC.
8 TBDPC CORPORATION
PACCAR AUTOMOTIVE, INC.
9 GRAND AUTO, INC.
AL'S AND GRAND AUTO SUPPLY, INC.
10 SCHUCK'S AUTO SUPPLY
TOPPS AUTOMOTIVE
11 TRAK AUTO PARTS

12

13

14

15 EXHIBIT B-1

16 DEFENDANTS

17 NATIONAL STEEL AND SHIPBUILDING COMPANY
HOPEMAN BROTHERS, INC.
18 J.T. THORPE & SON, INC.
THOMAS DEE ENGINEERING CO., INC.
19 DOES 1-800; DOES 1001-2000

20 ALTERNATE ENTITY

21 J.T. THORPE & SON, INC. THE THORPE COMPANY
22 THORPE PRODUCTS CO.
J.T. THORPE NORTHWEST

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EXHIBITS B, B-1

EXHIBIT CDEFENDANTS

1	SOUTHWEST MARINE, INC.	HOPEMAN BROTHERS, INC.
2	CHEVRON PRODUCTS COMPANY	J.T. THORPE & SON, INC.
3	CHEVRON U.S.A., INC.	THOMAS DEE ENGINEERING CO., INC.
4	PACIFIC GAS & ELECTRIC COMPANY	PLANT INSULATION COMPANY
5	SOUTHERN CALIFORNIA EDISON COMPANY	THORPE INSULATION COMPANY
6	NATIONAL STEEL AND SHIPBUILDING COMPANY	WESTERN MacARTHUR COMPANY
7	BECHTEL CORPORATION (DE)	MacARTHUR COMPANY
	SEQUOIA VENTURES, INC.	WESTERN ASBESTOS COMPANY
		DOES 1001-2000

ALTERNATE ENTITY

9	CHEVRON PRODUCTS COMPANY	CHEVRON U.S.A. PRODUCTS COMPANY
10		CHEVRON CORPORATION PRODUCTS COMPANY
11		CHEVRON CORPORATION
12		CHEVRON OIL REFINERY
13		CHEVRON CHEMICAL COMPANY
14		WILSHIRE OIL
15		STANDARD OIL COMPANY OF CALIFORNIA
16		STANDARD OIL COMPANY OF CALIFORNIA, WESTERN OPERATIONS, INC.
17		GULF OIL COMPANY
18		GULF OIL OF CALIFORNIA
19	SOUTHERN CALIFORNIA EDISON COMPANY	GULF OIL CORPORATION
20		GULF OIL PRODUCTS COMPANY
21		CHEVRON RESEARCH AND TECHNOLOGY
22		PACIFIC OIL REFINING
23	PREMISES OWNER	PACIFIC REFINING CO.
24	<u>DEFENDANTS</u>	SEQUOIA REFINING CORP.
25	SOUTHWEST MARINE, INC.	CHEVRON U.S.A., INC.
26	CHEVRON PRODUCTS COMPANY/CHEVRON U.S.A., INC.	CHEVRON U.S.A. PRODUCTS, INC.

19	SOUTHWEST MARINE, INC.	EDISON INTERNATIONAL
20		REDONDO BEACH POWERHOUSE
21		ALAMITOS POWERHOUSE
22		HUNTINGTON BEACH POWERHOUSE
23	PREMISES OWNER	ETIWANDA POWERHOUSE
24	<u>DEFENDANTS</u>	

	<u>LOCATION</u>	<u>TIME PERIOD</u>
24	SOUTHWEST MARINE, INC.	Southwest Marine, San Diego, CA
25	CHEVRON PRODUCTS COMPANY/CHEVRON U.S.A., INC.	Chevron Refinery, Wilmington, CA; Chevron Refinery, Shop, Wilmington, CA
26		4/1985-6/1985

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EXHIBIT C

EXHIBIT C (cont'd.)

<u>PREMISES OWNER</u> <u>DEFENDANTS</u>	<u>LOCATION</u>	<u>TIME PERIOD</u>
PACIFIC GAS & ELECTRIC COMPANY	PG&E, Diablo Canyon Powerhouse, CA	Mid 1980s
SOUTHERN CALIFORNIA EDISON COMPANY	San Onofre Nuclear Power Plant (SCE), CA	8/1979 (3 wks); Approx 1981-1983 (3-4 mos); Mid 1980s
<u>CONTRACTOR</u> <u>DEFENDANTS</u>	<u>LOCATION</u>	<u>TIME PERIOD</u>
NATIONAL STEEL AND SHIPBUILDING COMPANY	National Steel Shipbuilding, San Diego, CA <u>ST. WORTH</u> (MA-299) <u>EXXON VALDEZ</u> (1986)	1979-1980; 1983; 1985 (on/off about 4 yrs total)
BECUITEI CORPORATION (DE)/SEQUOIA VENTURES, INC.	<u>KITTY HAWK</u> (CVA-63); <u>RANGER</u> (CVA-61); <u>CONSTELLATION</u> (CVA-64)	1979-1985
	San Onofre Nuclear Power Plant (SCE), CA	8/1979 (3 wks); Approx. 1981-1983 (3-4 mos); Mid 1980s
	PG&E, Diablo Canyon Powerhouse, CA	Mid 1980s
HOPEMAN BROTHERS, INC.	Various	Various
J.T. THORPE & SON, INC.	Various	Various
THOMAS DEE ENGINEERING CO., INC.	Various	Various
PLANT INSULATION COMPANY	Various	Various
THORPE INSULATION COMPANY	Various	Various
WESTERN MacARTHUR COMPANY/MacARTHUR COMPANY/WESTERN ASBESTOS COMPANY	Various	Various

EXHIBIT C

1 EXHIBIT II

2 DEFENDANTS

3 METROPOLITAN LIFE INSURANCE COMPANY STUART-WESTERN, INC.
4 PNEUMO ABEX LLC RITESET MANUFACTURING COMPANY
4 BORGWARNER MORSE TEC, INC. ASBESTOS MANUFACTURING COMPANY
5 HONEYWELL INTERNATIONAL, INC. (successor-in- FIBRE & METAL PRODUCTS COMPANY
interest to ALIEDSIGNAL, INC.) LASCO BRAKE PRODUCTS
5 THE BUDD COMPANY L.J. MILEY COMPANY
6 DAIMLERCHRYSLER CORPORATION ROSENDALE-RUBOIL COMPANY
7 DANA CORPORATION SOUTHERN FRICTION MATERIALS COMPANY
7 FORD MOTOR COMPANY U.S. SPRING & BUMPER COMPANY
8 GENERAL MOTORS CORPORATION AUTO FRICTION CORPORATION
8 BRIDGESTONE/FIRESTONE EMSCO ASBESTOS COMPANY
9 NORTH AMERICAN TIRE, LLC FORCE MANUFACTURING CORPORATION
9 LEAR SIEGLER DIVERSIFIED HOLDINGS CORP. MOLDED INDUSTRIAL FRICTION CORPORATION
10 MAREMONT CORPORATION NATIONAL TRANSPORT SUPPLY, INC.
10 MORTON INTERNATIONAL, INC. SILVER LINE PRODUCTS, INC.
11 PARKER-HANNIFIN CORPORATION STANDCO, INC.
11 STANDARD MOTOR PRODUCTS, INC. UNIVERSAL FRICTION MATERIALS COMPANY
12 GATKE CORPORATION WHEELING BRAKE BLOCK MANUFACTURING
12 GARLOCK SEALING TECHNOLOGIES, LLC COMPANY
13 BRASSBESTOS BRAKE LINING COMPANY OWENS-ILLINOIS, INC.
13 H. KRASNE MANUFACTURING COMPANY BELL ASBESTOS MINES LTD.
14 AUTO SPECIALTIES MANUFACTURING COMPANY DOESS5000-8000

17 EXHIBIT I

18 DEFENDANTS

19 METROPOLITAN LIFE INSURANCE COMPANY
20 OWENS-ILLINOIS, INC.
20 PNEUMO ABEX LLC
21 GATKE CORPORATION
21 GARLOCK SEALING TECHNOLOGIES, LLC
22 AMERICAN CONFERENCE OF GOVERNMENTAL INDUSTRIAL HYGIENISTS, INC.
22 UNDERWRITERS LABORATORIES, INC.
23 DOESS5000-7500

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28 EXHIBITS II, I

1 DAVID R. DONADIO, ESQ., S.B. #154436
2 BRAYTON♦PURCELL LLP
3 Attorneys at Law
4 222 Rush Landing Road
5 P.O. Box 6169
6 Novato, California 94948-6169
7 (415) 898-1555
8 Attorneys for Plaintiff

ENDORSED
FILED

San Francisco County Superior Court

APR - 2 2007

GORDON PARK-LI, Clerk
BY: PARAMNATT
Deputy Clerk

8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF SAN FRANCISCO

10
11 WILLIAM MATTHIS, JR.,
12 Plaintiff,
13 vs.
14 ASBESTOS DEFENDANTS (B♦P)

ASBESTOS

No.

CGC-07-274138

PRELIMINARY FACT SHEET/NEW
FILING/ASBESTOS LITIGATION

15 (See General Order No. 129, In Re:
16 Complex Asbestos Litigation)

17 NOTICE

18 TO NEW DEFENDANTS SERVED IN COMPLEX ASBESTOS LITIGATION IN THE
19 SUPERIOR COURT IN AND FOR THE STATE OF CALIFORNIA, CITY AND COUNTY OF
20 SAN FRANCISCO

21 You have been served with process in an action which has been designated by the Court
22 as complex litigation pursuant to Standard 19 of the Standards of Judicial Administration. This
23 litigation bears the caption "In Re: Complex Asbestos Litigation", [San Francisco Superior
24 Court No. 828684].

25 This litigation is governed by various general orders, some of which affect the judicial
26 management and/or discovery obligations, including the responsibility to answer interrogatories
27 deemed propounded in the case. You may contact the Court or Designated Defense Counsel,
28 Berry & Berry, P.O. Box 16070, 2930 Lakeshore Avenue, Oakland, CA 94610; Telephone:
(510) 835-8330; FAX: (510) 835-5117, for further information and/or copies of these orders, at
your expense.

29 1. State the complete name and address of each person whose claimed exposure to asbestos is
30 the basis of this lawsuit ("exposed person"): William Matthis, Jr., 1275 W. Oakland Avenue #D,
31 Henet, California 92543.

1 2. Does plaintiff anticipate filing a motion for a preferential trial date within the next four
 2 months? Yes No

3 [If yes, the action will be governed by General Order No. 140; if no, the action will be governed
 4 by General Order No. 129.]

5 3. Date of birth of each exposed person in item one and, if applicable, date of death:

6 Date of Birth: 10/30/55

7 Date of Death: N/A

8 Social Security Number of each exposed person:

9 565-92-3558

10 4. Specify the nature or type of asbestos-related disease alleged by each exposed person.

11 Asbestosis Mesothelioma

12 Pleural Thickening/Plaques Other Cancer: Specify: _____

13 Lung Cancer Other Than Mesothelioma Other: Specify: _____

14 5. For purposes of identifying the nature of exposure allegations involved in this action, please
 15 check one or more:

16 Shipyard Construction Friction-Automotive

17 Premises Aerospace Military

18 Other: Specify all that apply: Industrial/Refinery

19 If applicable, indicate which exposure allegations apply to which exposed person.

20 6. Identify each location alleged to be a source of an asbestos exposure, and to the extent known,
 21 provide the beginning and ending year(s) of each such exposure. Also specify each exposed
 22 person's employer and job title or job description during each period of exposure. (For example:
 23 "San Francisco Naval Shipyard - Pipefitter - 1939-1948"). Examples of locations of exposure
 24 might be a specific shipyard, a specific railroad maintenance yard, or perhaps more generalized
 25 descriptions such as "merchant marine" or "construction". If an exposed person claims exposure
 26 during only a portion of a year, the answer should indicate that year as the beginning and ending
 27 year (e.g., 1947-1947).

28 ///

	<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
1	Neighborhood Youth Corp. San Diego, CA	Naval Base 32 nd Street San Diego, CA	Mechanic (Helper)	6/1973-9/1973
2	US Army	Ford Ord Monterey, CA	Private	3/3/1974-4/1974 (6 weeks)
3		US Army Fort Sill Lawton, OK	Private (E2)	4/1974-mid-May 1974 (6 weeks)
4		US Army Fort Hood Army Base Killeen, TX	Artilleryman	mid-May 1974- 3/3/1977
5	National Steel & Shipbuilding	National Steel & Shipbuilding, San Diego, CA 2 unknown LSD naval ships	Welder	10/1977-3/1979
6	Thorpe Insulation	Naval Repair Facility 32 nd Street Annex San Diego, CA 1 unknown naval ship	Insulator	3/1979- 7/1979 (1 month)
7		Thorpe Insulation Shop, Carson, CA		(3 months)

17 (Attach Additional Pages, If Necessary) SEE ATTACHED CONTINUATION

18 7. For each exposed person who:

19 a. worked in the United States or for a U.S. agency outside the territorial United States,
20 attach to the copy of this fact sheet provided to Designated Defense Counsel a fully executed
21 Social Security Earnings authorization (Exhibit N-4 to General Order No. 129);

22 b. may have had a Social Security disability award or is no longer employed and whose
23 last employment was not with a United States government agency, attach to the copy of this fact
24 sheet provided to Designated Defense Counsel a fully executed Social Security Disability
25 authorization (Exhibit N-5 to General Order No. 129);

26 c. served at any time in the United States military, attach to the copy of this fact sheet
27 provided to Designated Defense Counsel two fully executed originals of the stipulation (Exhibit
28 N-3 to General Order No. 129);

1 d. was employed by the United States government in a civilian capacity, attach to the
2 copy of this fact sheet provided to Designated Defense Counsel two fully executed originals of
3 the stipulation (Exhibit N-3 to General Order No. 129).
4 8. If there is a wrongful death claim, attach to the copy of this fact sheet provided to Designated
5 Defense Counsel a copy of the death certificate, if available. If an autopsy report was done, also
6 attach a copy of it to the copy of this fact sheet provided to Designated Defense Counsel.
7 9. State the date of the filing of the initial complaint in this matter:

8 April 2, 2007

9 By:

10 
11 _____
12 Attorney for Plaintiff

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	<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
1	Thorpe Ins. Fiberglas	San Onofre Nuclear Power Plant (SCE), CA	Insulator	8/1979 (3 weeks)
2		National Steel & Shipbuilding, San Diego, CA 6-7 ships	Insulator	1979-1980; 1983; 1985 (on/off: about 4 years total)
3		<u>ST. WORTH</u> (MA-299)		
4		<u>EXXON VALDEZ</u> (1986)		
5				
	Owens-Corning Fiberglas	Naval Repair Facility North Island San Diego, CA 3-4 aircraft carriers	Insulator	1979-1985
		<u>RANGER</u> (CVA-61)		
		<u>KITTY HAWK</u> (CVA-63)		
		<u>CONSTELLATION</u> (CVA-64)		
14				
15	Owens-Corning Fiberglas	Naval Repair Facility 32 nd Street Annex San Diego, CA 4 unknown navy ships	Insulator	1979-1985
16				
17	Owens-Corning Fiberglas	Southwest Marine San Diego, CA 1 unknown navy ship	Insulator	1979-1985
18				
19	Desco Insulation	San Onofre Nuclear Power Plant (SCE), CA	Insulator	approximately 1981-1983 (3-4 months)
20				
21	Thorpe Insulation			(approximate months)
22				
23	Owens-Corning Fiberglas			(4 months)
24	AC & S Insulation or Metalclad	Unknown Power Plant Newport Beach, CA	Insulator	1981 or 1982
25	P.W. Stevens	US Post Office Los Angeles	Insulator	1983
26				
27	AC & S or Metalclad	Los Angeles Department of Water and Power, Los Angeles, CA	Insulator	1984
28				

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
1 Metalclad	San Onofre Nuclear Power Plant (SCE), CA	Insulator	mid-1980s
2 Bechtel	San Onofre Nuclear Power Plant (SCE), CA	Insulator	mid-1980s
3 PG & E	Diablo Canyon Powerhouse CA	Insulator	mid-1980s
4 Chevron Refinery	Wilmington, CA	Insulator	4/1985-6/1985
5 Th	Chevron Refinery Shop, Wilmington, CA	Insulator	
6 Contracting Inc.	National Steel & Shipbuilding, San Diego, CA	Insulator	1/1986-3/1986; 5/1986-12/1986

NATIONAL EXPOSURE:EXPOSURE:

RD GTO: Plaintiff purchased a used car in 1979 or 1980. During that same year, replaced the original carburetor, original manifold, original header gaskets, and brakes. Plaintiff purchased a HOOKER HEADERS gasket kit. Plaintiff was assisted by cousin Henry Conwright, San Diego, California.

17 1981 MAZDA 626 Coupe: Plaintiff purchased this car new in 1981. Plaintiff replaced the original brakes and was assisted by cousin Henry Conwright, San Diego, California.

18 Plaintiff and his cousin, Henry Conwright, San Diego, California, purchased A.C. DELCO
19 brakes for majority of the cars they worked on from KRAGEN, Euclid Avenue, San Diego,
20 California; and AUTOZONE, Federal Boulevard, San Diego, California. Plaintiff currently
contends that he was exposed to asbestos during these vehicle repairs.

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DO NOT FILE WITH THE COURT

- UNLESS YOU ARE APPLYING FOR A DEFAULT JUDGMENT UNDER CODE OF CIVIL PROCEDURE § 585 -

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): DAVID R. DONADIO, ESQ. (Bar # 154436) BRAYTON•PURCELL LLP 222 Rush Landing Road Novato, California 94948-6169 ATTORNEY FOR (name): Plaintiff(s)		TELEPHONE NO. (415) 898-1555 FAX NO. (415) 898-1247
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO		
STREET ADDRESS: 400 McAllister Street		
MAILING ADDRESS:		
CITY AND ZIP CODE: San Francisco 94102		
BRANCH NAME:		
PLAINTIFF: WILLIAM MATTHIS, JR.		CASE NUMBER:
DEFENDANT: ASBESTOS DEFENDANTS (B•P)		274138
STATEMENT OF DAMAGES (Personal Injury or Wrongful Death)		

To (name of one defendant only): **SOUTHWEST MARINE, INC.**Plaintiff (name of one plaintiff only): **WILLIAM MATTHIS, JR.**
seeks damages in the above-entitled action, as follows:**1. General damages**

	AMOUNT
a. <input checked="" type="checkbox"/> Pain, suffering, and inconvenience	\$ 250,000.00
b. <input checked="" type="checkbox"/> Emotional distress	\$ 50,000.00
c. <input type="checkbox"/> Loss of consortium	\$ _____
d. <input type="checkbox"/> Loss of society and companionship(<i>wrongful death actions only</i>)	\$ _____
e. <input type="checkbox"/> Other (specify)	\$ _____
f. <input type="checkbox"/> Other (specify)	\$ _____
g. <input type="checkbox"/> Continued on Attachment 1.g.	

2. Special damages

a. <input checked="" type="checkbox"/> Medical expenses (<i>to date</i>)	\$ 10,000.00
b. <input checked="" type="checkbox"/> Future medical expenses (<i>present value</i>)	\$ 50,000.00
c. <input type="checkbox"/> Loss of earnings (<i>to date</i>)	\$ _____
d. <input type="checkbox"/> Loss of future earning capacity (<i>present value</i>)	\$ _____
e. <input type="checkbox"/> Property damage	\$ _____
f. <input type="checkbox"/> Funeral expenses (<i>wrongful death actions only</i>)	\$ _____
g. <input type="checkbox"/> Future contributions (<i>present value</i>) (<i>wrongful death actions only</i>)	\$ _____
h. <input type="checkbox"/> Value of personal service, advice, or training (<i>wrongful death actions only</i>)	\$ _____
i. <input checked="" type="checkbox"/> Other (specify) LOSS OF HOUSEHOLD SERVICES	\$ 50,000.00
j. <input type="checkbox"/> Other (specify)	\$ _____
k. <input type="checkbox"/> Continued on Attachment 2.k.	

3. **Punitive damages:** Plaintiff reserves the right to seek punitive damages in the amount of (specify) \$ 2,500,000.00 when pursuing a judgment in the suit filed against you.

Date:

/s/ David R. Donadio

David R. Donadio

(TYPE OR PRINT NAME)

(Proof of service on reverse)

(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

SUM-100

**SUMMONS
(CITACION JUDICIAL)**

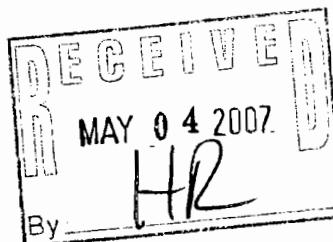
NOTICE TO DEFENDANT:**(AVISO AL DEFENDADO):**

ASBESTOS DEFENDANTS (B&P)

As Reflected on Exhibits B, B-1, C, H, I; and DOES 1-8500;
and SEE ATTACHED LIST.RECEIVED
GENERAL COUNSEL**YOU ARE BEING SUED BY PLAINTIFF:****(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

MAY 4 - 2007

WILLIAM MATTHIS, JR.

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.courtinfo.ca.gov/selfhelp/espanol), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.courtinfo.ca.gov/selfhelp/espanol) o poniéndose en contacto con la corte o el colegio de abogados locales.

The name and address of the court is:

(El nombre y dirección de la corte es):

SAN FRANCISCO COUNTY SUPERIOR COURT

400 McAllister Street

San Francisco, CA 94102

CASE NUMBER:
(Número de Caso)

CGC-07-274138

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección de teléfono del abogado del demandante, o del demandante que no tiene abogado, es)

DAVID R. DONADIO, ESQ., STATE BAR NO. 154436

BRAYTON•PURCELL LLP

222 Rush Landing Road, Novato, CA 94948-6169

(415) 898-1555

DATE: APR 2 2007 (Gordon Park, II)

Clerk, by _____
(Secretario)

P. NATT

, Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

NOTICE TO PERSON SERVED: You are served

[SEAL]

1. as an individual defendant.
2. as the person sued under the fictitious name of (specify):
3. on behalf of (specify): Southwest Marine, Inc.
under: CCP 416.10 (corporation) CCP 416.60(minor)
 CCP 416.20 (defunct corporation) CCP 416.70 (conservatee)
 CCP 416.40 (association of partnership) CCP 416.90 (authorized person)
 other (specify):
4. by personal delivery on (date): 5-4-07

1
2
3 BUCYRUS INTERNATIONAL, INC.
4 BECHTEL CORPORATION (DE)
5 SEQUOIA VENTURES, INC.
6 CROWN CORK & SEAL COMPANY, INC.
7 THOMAS DEE ENGINEERING CO., INC.
8 GARLOCK SEALING TECHNOLOGIES, LLC
9 GENERAL ELECTRIC COMPANY
10 OWENS-ILLINOIS, INC.
11 PARKER-HANNIFIN CORPORATION
12 PLANT INSULATION COMPANY
13 QUINTEC INDUSTRIES, INC.
14 RAPID-AMERICAN CORPORATION
15 THORPE INSULATION COMPANY
16 UNIROYAL HOLDING, INC.
17 VIACOM, INC.
18 WESTERN MacARTHUR COMPANY
19 MacARTHUR COMPANY
20 WESTERN ASBESTOS COMPANY
21 HONEYWELL INTERNATIONAL, INC.
22 DAIMLERCHRYSLER CORPORATION
23 FORD MOTOR COMPANY
24 GENERAL MOTORS CORPORATION
25 INTERNATIONAL TRUCK & ENGINE CORPORATION
26 MAZDA NORTH AMERICAN OPERATION
27 CSK AUTO, INC.
28 GOODLOE E. MOORE INC
29 HOOKER INDUSTRIES, INC.
30 NATIONAL STEEL AND SHIPBUILDING COMPANY ✓
31 HOPEMAN BROTHERS, INC. ✓
32 J.T. THORPE & SON, INC.
33 SOUTHWEST MARINE, INC. ✓
34 CHEVRON PRODUCTS COMPANY
35 CHEVRON U.S.A., INC.
36 PACIFIC GAS & ELECTRIC COMPANY
37 SOUTHERN CALIFORNIA EDISON COMPANY
38 METROPOLITAN LIFE INSURANCE COMPANY
39 GATKE CORPORATION
40 AMERICAN CONFERENCE OF GOVERNMENTAL INDUSTRIAL HYGIENISTS, INC.
41 UNDERWRITERS LABORATORIES, INC.
42 PNEUMO ABEX LLC
43 and DOES 1-8500,
44
45 Defendants.
46
47
48

William Matthis, Jr. vs. Asbestos Defendants (B&P)
San Francisco Superior Court

CM-010

FOR COURT USE ONLY

ENDORSED
FILED

San Francisco County Superior Court

APR - 2 2007

GORDON PARK-LI, Clerk

BY: PARAMNATT
Deputy Clerk

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):

DAVID R. DONADIO, ESQ., STATE BAR NO. 154436
BRAYTON & PURCELL, LLP
222 Rush Landing Road
Novato, California 94948-6169
TELEPHONE NO. (415) 898-1555

FAX NO. (415) 898-1247

ATTORNEY FOR (NAME): Plaintiff(s)

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO

STREET ADDRESS: 400 McAllister Street

MAILING ADDRESS:

CITY AND ZIP CODE: San Francisco, CA 94102

BRANCH NAME:

CASE NAME:

WILLIAM MATTHIS, JR. vs. ASBESTOS DEFENDANTS (B&P)

CIVIL CASE COVER SHEET

Unlimited Limited
(Amount demanded exceeds \$25,000) (Amount demanded is \$25,000 or less)

Complex Case Designation
 Counter Joinder
 Filed with first appearance by defendant
 (Cal. Rules of Court, rule 1811)

CASE NUMBER: CGC-07-274138

JUDGE:

DEPT.:

All five (5) items below must be completed (see instructions on page 2).

1. Check one box below of the case type that best describes this case:

Auto Tort

Auto (22)
 Uninsured motorists (46)

Other PI/PD/WD (Personal Injury/Property

Damage/Wrongful Death) Tort

Asbestos (04)
 Product liability (24)
 Medical malpractice (45)
 Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort

Business tort/unfair business practice (07)
 Civil rights (08)

Defamation (13)

Fraud (16)

Intellectual property (19)

Professional negligence (25)

Other non-PI/PD/WD tort (35)

Employment

Wrongful termination (36)
 Other employment (15)

Contract

Breach of contract/warranty (06)
 Collections (09)
 Insurance coverage (18)
 Other contract (37)

Real Property

Eminent domain/inverse
 condemnation (14)
 Wrongful eviction (33)
 Other real property (26)

Unlawful Detainer

Commercial (31)
 Residential (32)
 Drugs (38)

Judicial Review

Asset forfeiture (05)
 Petition re: arbitration award (11)
 Writ of mandate (02)
 Other judicial review (39)

Provisionally Complex Civil Litigation

(Cal. Rules of Court, rules 1800-1812)
 Antitrust/Trade regulation (03)
 Construction defect (10)
 Mass tort (40)
 Securities litigation (28)
 Environmental / Toxic tort (30)
 Insurance coverage claims arising from the
 above listed provisionally complex case types (41)

Enforcement of Judgment

Enforcement of judgment (20)

Miscellaneous Civil Complaint

RICO (27)
 Other complaint (not specified above) (42)

Miscellaneous Civil Petition

Partnership and corporate governance (21)
 Other petition (not specified above) (43)

2. This case is not complex under rule 1800 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. Large number of separately represented parties
 b. Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
 c. Substantial amount of documentary evidence

d. Large number of witnesses
 e. Coordination and related actions pending in one or more courts in other counties, states or countries, or in a federal court
 f. Substantial post-judgment judicial supervision

3. Type of remedies sought (check all that apply):

a. Monetary b. Nonmonetary; declaratory or injunctive relief c. Punitive

4. Number of causes of action (specify): 7

5. This case is not a class action suit.

Date: 4/11/07

David R. Donadio

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate, Family, or Welfare and Institutions Code). (Cal. Rules of Court, rule 201.8.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 1800 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a complex case, this cover sheet shall be used for statistical purposes only.

Page 1 of 2

EXHIBIT B

SSC - 4-17-08

W/930
Berry & Berry

MAY 16 2007

Received

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1 ALAN R. BRAYTON, ESQ., S.B. #73685
2 ERIC C. SOLOMON, ESQ., S.B. #119131
3 BRAYTON & PURCELL LLP
4 Attorneys at Law
5 222 Rush Landing Road
6 P.O. Box 6169
7 Novato, California 94948-6169
8 (415) 898-1555
9 Attorneys for Plaintiff

8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF SAN FRANCISCO

10
11 WILLIAM MATTHIS, JR., }
12 Plaintiff, }
13 vs. }
14 ASBESTOS DEFENDANTS (B & P) }
15

ASBESTOS
No. 274138
ANSWERS TO INTERROGATORIES

16 PROPOUNDING PARTY: STANDARD ASBESTOS CASE INTERROGATORIES
17 RESPONDING PARTY: Plaintiff WILLIAM MATTHIS, JR.
18 SET NO: ONE

20 ANSWERS

21 1. a. WILLIAM PAUL MATTHIS, JR.
22 b. October 30, 1955.
23 c. 51 years.
24 d. San Diego, California.
25 e. 1275 West Oakland Avenue, #D, Hemet, California 92543.
26 f. Height: 6' 3", weight: 205 pounds.
27 g. 565-92-3558.
28 h. Not applicable.

- i. Not applicable.
- j. 565-92-3588.
- k. California, N3186323.
- l. William Paul Matthis, Jr.
- m. 12th grade.
- n. None.
- o.-r. Not applicable.
- s. Denise Thorton, Ethel Pollard, Alicia Davis, Angela Jackson, and Sheryl Wilson.
- t. 1974, 1981, 1986, 2001, and 2004, respectively.
- u. Plaintiff was divorced in San Diego, California (Denise Thorton, Ethel Pollard, Alicia Davis); Kansas City, Missouri (Angela Jackson, and Sheryl Wilson).
- 2. a. Kenya Matthis.
- b. July 31, 1975.
- c. Natural.
- d. Unknown.
- e. Unknown.
- f. Living.
- a. Paul Decory Matthis.
- b. May 13, 1985.
- c. Natural.
- d. Unknown.
- e. Unknown.
- f. Living.
- a. Ashley Matthis.
- b. August 26, 1989.

1 c. Natural.

2 d. Unknown.

3 e. Student.

4 f. Living.

5

6 a. Cassius DePaul Matthis.

7 b. May 3, 1990.

8 c. Natural.

9 d. Unknown.

10 e. Student.

11 f. Living.

12 3. No.

13 4. No.

14 5. Plaintiff is currently able to recall the following addresses:

15 2006 to present: 33347 Breighton Wood Street, Menifee, California 92584.

16 2006: 33347 Breighton Wood Street, Menifee, California 92584.

17 2004 to 2006 (2 years): Palm Springs, California.

18 2001 to 2004: San Diego, California.

19 1999 to 2001: Kansas City, Missouri.

20 1999 (9 months): Rockford, Illinois.

21 3/1977 to 1999: San Diego, California.

22 3/1974 to 3/1977: United States Army.

23 10/30/1955 to 3/1974: San Diego, California.

24 Plaintiff's investigation and discovery are continuing.

25 6. Plaintiff graduated from San Diego High School in 1974. Plaintiff attended
26 welding school for National Steel and Rio Honda.

27 7. April 27, 2007.

28 8. No.

1 9. Plaintiff was a member of the United States Army from 1974 to 1977. Please see
2 response to Interrogatory No. 26, below.

3 10. Excluding plaintiff's expert consultants, plaintiff recalls the following physicians:

- 4 a. Dr. Suzanne Chang.
- 5 b. Veterans Administration Hospital, Sun City, California
- 6 c. General health maintenance.
- 7 d. 2006 to present.
- 8 e. General health maintenance.
- 9 f. Plaintiff's investigation and discovery are continuing.

- 10 a. Dr. Sam Williams.
- 11 b. 286 North Euclid Avenue, #304, San Diego, California 92114.
- 12 c. Treatment, including medication for depression.
- 13 d. June 2006.
- 14 e. Depression.
- 15 f. Plaintiff's investigation and discovery are continuing.

- 16 a. Unknown physicians.
- 17 b. Veterans Administration Hospital, Loma Linda, California.
- 18 c. Treatment, including medication for depression, prostate problems, hip
- 19 d. pain, back pain, stomach problems, and anxiety.
- 20 e. 2004 to 2006.
- 21 f. General health maintenance.
- 22 g. Plaintiff's investigation and discovery are continuing.

23 11. Excluding those used by plaintiff's expert consultants, plaintiff currently recalls
24 the following hospitals:

- 25 a. Veterans Administration Hospital.
- 26 b. Benton Street, Loma Linda, California.

c. Treatment, including medication for depression, swollen prostate, hip pain, back pain, stomach problems, and anxiety.

d. 2004 to 2006.

c. General health maintenance.

f. Plaintiff's investigation and discovery are continuing.

12. Excluding any taken by plaintiff's expert consultants, plaintiff recalls the following x-rays:

a. Veterans Administration Hospital, Benton Street, Long Beach, California.

b. Unknown dates, including October 2006

c. Chest, head, hip and back.

d. Unknown.

e. Plaintiff's investigation and discovery are continuing.

13. Excluding any taken by plaintiff's expert consultants, plaintiff recalls the following pulmonary function tests:

a. Plaintiff does not recall.

b. February 2006, and September 2006.

c. Plaintiff does not recall.

d. Required by employer, PCI in San Diego, California.

e. Unknown.

f. Yes.

g. Unknown physician.

h. Plaintiff's investigation and discovery are continuing.

14. Please see response to Interrogatory No.'s 10 and 11, above. Plaintiff defers to his medical records as the best source of information for medications prescribed.

15. Not at this time. Plaintiff's medical records are equally available to defendants through Berry & Berry, designated defense counsel.

16. Plaintiff has the following complaints from asbestos exposure: shortness of breath, tiredness, coughing with phlegm, and chest pain.

1 a. 2003 or 2004.

2 b. No cessation.

3 c. Plaintiff is currently unaware of any physical change.

4 d. Plaintiff contends that his lungs have primarily been affected. However,
5 as the lung function affects the rest of the body, plaintiff also contends that all parts of his body
6 have been affected.

7 e.-f. Plaintiff does not recall.

8 g. Plaintiff does not at this time contend that he has lost time from work as a
9 result of his asbestos related conditions. Plaintiff's investigation and discovery are continuing.

10 h. Not applicable.

11 i. Plaintiff's investigation and discovery are continuing.

12 17. Yes.

13 a. Asbestosis.

14 b. Approximately August 2006.

15 c. 1. Information protected by either the attorney work-product doctrine or the
16 attorney-client privilege. Plaintiff's investigation and discovery are continuing.

17 18. No.

18 19. Plaintiff has suffered respiratory complaints and symptoms during the last 10
19 years, including but not limited to: shortness of breath, tiredness, coughing with phlegm, and
20 chest pain.

21 20. No.

22 21. Not applicable.

23 22. No.

24 23. Yes.

25 a. Plaintiff recalls smoking from 1990 or 1992 to the present.

26 b. Plaintiff recalls smoking cigarettes. Plaintiff inhaled.

27 c. Plaintiff usually smokes 10 cigarettes per day.

28 d. Plaintiff usually smokes $\frac{1}{2}$ pack of cigarettes per day.

e. Plaintiff recalls smoking Parliament light, and Marlboro brand cigarettes.

2 f. Yes.

3 1. **Physicians at Veterans Administration Medical Center.**

4 2. Unknown.

5 24. Yes.

6 a. Plaintiff's girlfriend.

7 b. Dates unknown, approximately 2 years.

8 c. Marlboro menthol brand cigarettes.

9 d. Occasionally.

10 25. Plaintiff recalls first consuming alcoholic beverages in 1974 or 1975. Plaintiff
11 currently drinks 0 to $\frac{1}{2}$ pint of beer, vodka or Hennessy per week. Plaintiff's alcohol
12 consumption has not changed over his lifetime.

13 26. Plaintiff is currently able to identify the following employment information:

14	<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
15	Neighborhood Youth Corp.	Naval Base	Mechanic	6/1973-9/1973
16	San Diego, CA	32 nd Street	(Helper)	
		San Diego, CA		

17 Job Duties: Plaintiff assisted civilian mechanics in replacing brakes, clutches, gaskets, and
18 mufflers. Plaintiff used the following FORD products: brakes, clutches, and gaskets. Plaintiff
19 and the mechanics sanded and used air compressors on the brakes. Plaintiff worked on the
20 following vehicles that contained original parts: CHEVROLET, FORD, AMERICAN MOTORS,
INTERNATIONAL diesel trucks, and INTERNATIONAL buses. Plaintiff currently contends
that he was exposed to asbestos during this employment.

21	Employer	Location of Exposure	Job Title	Exposure Dates
22	US Army	Ford Ord Monterey, CA	Private	3/3/1974-4/1974 (6 weeks)
23		US Army Fort Sill Lawton, OK	Private (E2)	4/1974-mid-May 1974 (6 weeks)
24				
25				
26				
27		US Army Fort Hood Army Base Killeen, TX	Artilleryman	mid-May 1974- 3/3/1977

Job Duties: At Fort Ord, plaintiff completed basic training in six weeks. Plaintiff then had an

1 additional six weeks of training at Fort Sill. Plaintiff trained with howitzer cannons for field
 2 artillery. At both Fort Seal and Fort Hood, plaintiff used asbestos gloves to handle the shells for
 3 the cannons. Plaintiff changed barrels on M-60 machine guns. Plaintiff maintained and used
 4 howitzer 175, 122, 155, and 8-inch weapons. Plaintiff repaired the tracks' chains and links on
 the cannons. In addition at Fort Hood, plaintiff maintained trucks and jeeps by changing oil and
 assisting on brake replacements. Plaintiff currently contends that he was exposed to asbestos
 during this employment.

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
National Steel & Shipbuilding	National Steel & Shipbuilding, San Diego, CA 2 unknown LSD naval ships	Welder	10/1977-3/1979

10 Job Duties: Plaintiff worked in the shop. Plaintiff welded and burned. Plaintiff used MIG
 11 welding machines. Plaintiff used asbestos gloves to carry hot lead and when torching. Plaintiff
 12 chipped and ground pieces of ships and metals. Plaintiff replaced grinding wheels. Plaintiff also
 13 worked on board two navy nuclear ships. Plaintiff welded and burned lead on hulls, bilges,
 bulkheads, and other parts inside. Plaintiff recalls the following co-workers: Leo Hawkins, San
 14 Diego, California; chipper co-worker and uncle James Buchanan, Palm Springs, California; and
 insulator co-worker and brother-in-law Luther Shaw, San Diego, California. Plaintiff worked
 with the following trades: insulators insulating, laborers cleaning and sweeping, shipfitters,
 pipefitters, machinists, painters, and sandblasters sanding the ships. Plaintiff currently contends
 that he was exposed to asbestos during this employment.

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
Thorpe Insulation	Naval Repair Facility 32 nd Street Annex San Diego, CA 1 unknown naval ship	Insulator	3/1979- 7/1979 (1 month)
	Thorpe Insulation Shop Carson, CA		(3 months)

22 Job Duties: Plaintiff worked on one naval ship. Plaintiff removed asbestos insulation from pipes
 23 and boilers with a power saw. Plaintiff worked in the engine room and other areas. Plaintiff
 24 swept the floor and picked up pieces of asbestos insulation. Plaintiff wore protective gear,
 including paper masks. Plaintiff recalls general foreman Greg Stutman, address currently
 unknown; and co-worker Jimmy Palmer, San Diego, California.

25 At the shop, plaintiff created new insulation pads. Plaintiff used old asbestos insulation
 26 pads that came directly off of the ships. Plaintiff opened the insulation pads and removed the
 asbestos filling. Plaintiff would then use the insulation pads as patterns to replicate the shape and
 27 size. Plaintiff cut fiberglass for the new insulation pads and sewed up the pads with a sewing
 machine and pneumatic button machine. Plaintiff recalls the asbestos insulation pads were from
 all parts of ships, including boilers, pumps, valves, pipes, and furnaces. Plaintiff recalls the
 28 following co-workers: Denver Talaver, address currently unknown; and "Red" Vandering,
 address currently unknown. Plaintiff currently contends that he was exposed to asbestos during

1 this employment.

2	3 <u>Employer</u>	4 <u>Location of</u> 5 <u>Exposure</u>	6 <u>Job Title</u>	7 <u>Exposure</u> 8 <u>Dates</u>
	Thorpe Insulation	San Onofre Nuclear Power Plant (SCE), CA	Insulator	8/1979 (3 weeks)

9 Job Duties: Plaintiff recalls this was new construction on Units 2 and 3. Plaintiff applied
10 insulation cement to pipes, boilers, and turbines. Plaintiff worked with the following trades:
ironworkers, pipefitters welding, sheetmetal workers, electricians stripping and cutting electrical
wires, boilermakers building boilers, welders welding with fire blankets, and crane operators.
Plaintiff recalls foreman Ron Hout, address currently unknown; and general foreman Bob Evans,
deceased. Plaintiff recalls the following co-workers: Dennis Tucker, address currently unknown;
Lawrence "Buddy" Rogers, c/o Brayton+Purcell LLP; Gary Mays, Arkansas; John Mack, Los
Angeles area, California; Harvey Hood, Texas; Jeff Darby, San Diego, California; Greg Bue, San
Diego, California (works for Tri-County Insulation Co.). Plaintiff currently contends that he was
exposed to asbestos during this employment.

11	12 <u>Employer</u>	13 <u>Location of</u> 14 <u>Exposure</u>	15 <u>Job Title</u>	16 <u>Exposure</u> 17 <u>Dates</u>
	Owens-Corning Fiberglas	National Steel & Shipbuilding, San Diego, CA 6-7 ships	Insulator	1979-1980; 1983; 1985 (on/off; about 4 years total)
		ST. WORTH (MA-299)		
		EXXON VALDEZ (1986)		

18 Job Duties: Plaintiff performed repair work in the engine rooms. Plaintiff removed existing
asbestos insulation. Plaintiff applied ARMSTRONG 520 adhesives to insulate the pipes.
Plaintiff also used ONE-SHOT insulating cement for fittings and elbows and TUFF BOND
adhesive for ducts. Plaintiff used CALSIL lagging and pipecovering for steam and hot
waterlines. Plaintiff worked alongside the following trades: NATIONAL STEEL &
SHIPBUILDING chippers, welders welding, electricians cutting and stripping wires, shipfitters,
painters, sandblasters, pipefitters, and carpenters installing deck tiles and cabinets. Plaintiff
recalls the following co-workers: Tony Berryon, San Diego area, California; Greg Brown, San
Diego, California; Jeff Darby, San Diego, California; Gary Bland, San Diego, California; Mitch
Spence, San Diego, California; John Mack, Ergie Bowman, Los Angeles area, California; and
George Echos, address currently unknown. Plaintiff recalls foreman Gary Hatch, San Diego,
California; and foreman Jack Gordon, deceased, both working in the earlier years for this
employer. Plaintiff recalls supervisor and brother-in-law Luther Shaw, San Diego, California, in
the latter years. Plaintiff currently contends that he was exposed to asbestos during this
employment.

25	26 <u>Employer</u>	27 <u>Location of</u> 28 <u>Exposure</u>	29 <u>Job Title</u>	30 <u>Exposure</u> 31 <u>Dates</u>
	Owens-Corning Fiberglas	Naval Repair Facility North Island San Diego, CA 3-4 aircraft carriers	Insulator	1979-1985

RANGER (CVA-61)KITTY HAWK (CVA-63)CONSTELLATION
(CVA-64)

Job Duties: Plaintiff performed insulation repair work in the engine rooms. Plaintiff used ARMSTRONG 520 adhesive on rubber pipecovering. Plaintiff insulated with ONE-SHOT for fittings and elbows. Plaintiff used TUFF BOND adhesive for ducts. Plaintiff used CALSIL insulating cement and pipecovering for steam and hot waterlines. Plaintiff worked alongside the following trades: boilermakers repairing boilers, pipefitters repairing pipes, welders welding, shipfitters, and sandblasters. Plaintiff recalls the following co-workers: brother-in-law Luther Shaw, San Diego, California; Gary Bland, San Diego, California; Bill Dale, San Diego, California; and Mark Dale, San Diego, California. Plaintiff currently contends that he was exposed to asbestos during this employment.

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
Owens-Corning Fiberglas	Naval Repair Facility 32 nd Street Annex San Diego, CA 4 unknown navy ships	Insulator	1979-1985

Job Duties: Plaintiff performed repairs on navy ships. Plaintiff insulated pipes and boilers in the engine rooms. Plaintiff removed asbestos insulation from the pipes and boilers. Plaintiff also performed minor repairs to the boilers. Plaintiff working alongside other insulators insulating pipes and boilermakers repairing boilers. Plaintiff recalls the following co-workers: brother-in-law Luther Shaw, San Diego, California; general foreman Mitch Spence, San Diego, California; Gary Hatch, San Diego, California; Greg Brown, San Diego, California; Bill Dale, San Diego, California; Mark Dale, San Diego, California; Eddie Gordon, north San Diego County; and Sammy Gordon, north San Diego County. Plaintiff currently contends that he was exposed to asbestos during this employment.

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
Owens-Corning Fiberglas	Southwest Marine San Diego, CA 1 unknown navy ship	Insulator	1979-1985

Job Duties: Plaintiff insulated pipes and boiler in the engine room. Plaintiff recalls Ben Rodriguez, address currently unknown. Plaintiff worked alongside the following trades: boilermakers repairing boilers, shipfitters working with sheetmetal, electricians cutting and routing electrical wires, welders welding, insulators, and pipefitters replacing sections of pipes. Plaintiff recalls some of the trades were SOUTHWEST MARINE employees. Plaintiff currently contends that he was exposed to asbestos during this employment.

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
Desco Insulation	San Onofre Nuclear Power Plant (SCE), CA	Insulator	approximately 1981-1983 (3-4 months)

1 Thorpe Insulation (approximately 6
 2 months)

3 Owens-Corning Fiberglas (4 months)

4 Job Duties: Plaintiff recalls this was new construction on Units 2 and 3. Plaintiff worked
 5 alongside the following trades: ironworkers, pipefitters, sheetmetal workers, electricians,
 6 boilermakers working on boilers and their tubes, welders welding and using asbestos blankets,
 7 crane operators, and machinists. Plaintiff recalls the following co-workers: Larry Gibson,
 deceased; John Mack, Los Angeles area, California; Lionel Reed, Los Angeles, California;
 Dennis Tucker, address currently unknown; Clint Hout, Riverside County, California; Ron Hout,
 address currently unknown; and Bobby Hout, address currently unknown. Plaintiff currently
 contends that he was exposed to asbestos during this employment.

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
AC & S Insulation or Metalclad	Unknown Power Plant Newport Beach, CA	Insulator	1981 or 1982

11 Job Duties: Plaintiff replaced insulation on a boiler. Plaintiff used TUFF BOND adhesive on
 12 some pins. Plaintiff recalls co-worker George Echos, address currently unknown. Plaintiff
 currently contends that he was exposed to asbestos during this employment.

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
AC & S Insulation	Los Angeles Department of Water and Power, Los Angeles, CA	Insulator	1982

16 Job Duties: Plaintiff performed asbestos abatement. Plaintiff is currently unaware if he was
 17 exposed to asbestos during this employment.

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
P.W. Stevens	US Post Office Los Angeles	Insulator	1983

21 Job Duties: Plaintiff performed asbestos abatement. Plaintiff used paper masks while removing
 22 wet asbestos insulation. Plaintiff recalls supervisor P.W. Stevens, address currently unknown.
 Plaintiff currently contends that he was exposed to asbestos during this employment.

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
Owens-Corning Fiberglas	Budweiser Brewery San Fernando Valley, CA	Insulator	1983 (3 weeks)

26 Job Duties: Plaintiff assisted insulators. Plaintiff is currently unaware if he was exposed to
 27 asbestos during this employment.

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
-----------------	-----------------------------	------------------	-----------------------

1 AC & S or Metalclad Los Angeles Department of Insulator
Water and Power,
2 Los Angeles, CA 1984

3 Job Duties: Plaintiff performed asbestos abatement. Plaintiff used paper masks while removing
4 wet asbestos insulation. Plaintiff currently contends that he was exposed to asbestos during this
employment.

	<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
5	Metalclad	San Onofre Nuclear Power Plant (SCE), CA	Insulator	mid-1980's
6				
7				

8 Job Duties: Plaintiff performed repair work on Units 2 and 3. Plaintiff insulated conduits, pipes,
9 turbines, heat exchangers, and heat tray slides. Plaintiff removed old insulation. Plaintiff recalls
10 general contractor BECHTEL employees performed a portion of the repair work, including
11 insulation. Plaintiff worked near the following trades: welders welding, pipefitters, carpenters,
12 boilermakers, electricians, and painters. Plaintiff recalls the following co-workers: Linda
Thompson, Lakewood area, California; Jimmy Yap, around San Onofre area, California; Jimmy
Lee, Las Vegas, Nevada; Bob Klepper (now Business Agent for Local Union 5 of Azusa,
California), address currently unknown; and Rocky Summers, near San Clemente, California.
Plaintiff currently contends that he was exposed to asbestos during this employment.

13		Location of		Exposure
14	<u>Employer</u>	<u>Exposure</u>	<u>Job Title</u>	<u>Dates</u>
15	Bechtel	San Onofre Nuclear Power Plant (SCE), CA	Insulator	mid-1980's
16				

17 Job Duties: Plaintiff repaired insulation on conduits, pipes, turbines, heat exchangers, and heat
18 try slides on Units 1, 2, and 3. Plaintiff worked alongside the following trades: welders,
19 pipefitters, carpenters, boilermakers repairing pipes, electricians, and painters. Plaintiff recalls
20 the following co-workers: Jimmy Yap, around San Onofre area, California; Rocky Summers,
near San Clemente, California; Bob Klepper (now Business Agent for Local Union 5 of Azusa,
California), address currently unknown; and Linda Thompson, Lakewood area, California.
Plaintiff currently contends that he was exposed to asbestos during this employment.

	<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
21	Thorpe Insulation	PG & E Diablo Canyon Powerhouse CA	Insulator	mid-1980's
22				
23				

24 Job Duties: Plaintiff repaired insulation on pipes and conduits. Plaintiff recalls supervisor Bob
25 Evans, deceased. Plaintiff recalls the following co-workers: Ron Hout, address currently
unknown; Art Hout, deceased; Ergie Bowman, Los Angeles area, California; Harvey Hood,
26 Texas; and Sunny Woods, deceased. Plaintiff currently contends that he was exposed to asbestos
during this employment.

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
-----------------	-----------------------------	------------------	-----------------------

1 Bechtel Bechtel Insulator 1/1985-2/1985
 2 Unknown location

3 Job Duties: Plaintiff is currently unable to recall the specifics of this employment. Plaintiff is
 4 currently unaware if he was exposed to asbestos during this employment.

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
A C & S	A C & S Unknown location	Insulator	3/1985-4/1985

5 Job Duties: Plaintiff is currently unable to recall the specifics of this employment. Plaintiff is
 6 currently unaware if he was exposed to asbestos during this employment.

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
Thorpe Insulation	Chevron Refinery Wilmington, CA	Insulator	4/1985-6/1985
	Chevron Refinery Shop Wilmington, CA		

7 Job Duties: Plaintiff replaced insulation on the coker and pipes. At the shop, plaintiff created
 8 new insulation pads. Plaintiff opened the insulation pads and removed the asbestos filling.
 9 Plaintiff would then use the insulation pads as patterns to replicate the shape and size. Plaintiff
 10 cut fiberglass for the new insulation pads and sewed up the pads. Plaintiff recalls the following
 11 co-workers: Fernando Gutierrez, Chino, California; Sam Slot, deceased; brother-in-law Luther
 12 Shaw, San Diego, California; and Adrian (last name unknown), Las Vegas, Nevada. Plaintiff
 13 worked near the following trades: laborers cleaning and sweeping, pipefitters replacing and repair
 14 pipes, and welders welding on pipes. Plaintiff currently contends that he was exposed to asbestos
 15 during this employment.

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
Performance Contracting Inc.	Performance Contracting Inc., Unknown location	Insulator	6/1985-7/1985; 9/1985-12/1985

16 Job Duties: Plaintiff is currently unable to recall the specifics of this employment. Plaintiff is
 17 currently unaware if he was exposed to asbestos during this employment.

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
Performance Contracting Inc.	National Steel & Shipbuilding, San Diego, CA	Insulator	1/1986-3/1986; 5/1986-12/1986

18 Job Duties: Plaintiff recalls this was new construction and repair work. Plaintiff repaired
 19 insulated pipes and boilers in the engine room and throughout the ships. Plaintiff recalls the
 20 following trades working near him: electricians, laborers, painters, welders, sandblasters,
 21 pipefitters, boilermakers, shipfitters, and carpenters. Plaintiff currently contends that he was

1 exposed to asbestos during this employment.

2	<u>Employer</u>	3	<u>Location of</u> <u>Exposure</u>	4	<u>Job Title</u>	5	<u>Exposure</u> <u>Dates</u>
AC & S		Los Angeles Department of	Insulator			1/1987-2/1987;	
		Water and Power,				7/1987; 9/1987	
		Los Angeles, CA					

6 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
7 if he was exposed to asbestos during this employment.

7	<u>Employer</u>	8	<u>Location of</u> <u>Exposure</u>	9	<u>Job Title</u>	10	<u>Exposure</u> <u>Dates</u>
Performance Contracting Inc.	Performance Contracting	Inc.,	Insulator			2/1987-4/1987	
		Unknown location					

11 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
12 if he was exposed to asbestos during this employment.

12	<u>Employer</u>	13	<u>Location of</u> <u>Exposure</u>	14	<u>Job Title</u>	15	<u>Exposure</u> <u>Dates</u>
A C & S		A C & S	Insulator			4/1988	
		Unknown location					

16 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
17 if he was exposed to asbestos during this employment.

17	<u>Employer</u>	18	<u>Location of</u> <u>Exposure</u>	19	<u>Job Title</u>	20	<u>Exposure</u> <u>Dates</u>
Tri-County		Tri-County	Insulator			8/1988-10/1988	
		Unknown location					

21 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
22 if he was exposed to asbestos during this employment.

21	<u>Employer</u>	22	<u>Location of</u> <u>Exposure</u>	23	<u>Job Title</u>	24	<u>Exposure</u> <u>Dates</u>
JFI		JFI	Insulator			9/1989	
		Unknown location					

25 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
26 if he was exposed to asbestos during this employment.

26	<u>Employer</u>	27	<u>Location of</u> <u>Exposure</u>	28	<u>Job Title</u>	29	<u>Exposure</u> <u>Dates</u>
A C & S		A C & S	Insulator			11/1989	
		Unknown location					

30 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware

1 if he was exposed to asbestos during this employment.

2	<u>Employer</u>	<u>Location of</u> <u>Exposure</u>	<u>Job Title</u>	<u>Exposure</u> <u>Dates</u>
3	Dittmore	Dittmore Unknown location	Insulator	12/1989

5 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
if he was exposed to asbestos during this employment.

7	<u>Employer</u>	<u>Location of</u> <u>Exposure</u>	<u>Job Title</u>	<u>Exposure</u> <u>Dates</u>
8	Bechtel	PG & E Diablo Canyon Powerhouse CA	Insulator	early 1990's

10 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
11 if he was exposed to asbestos during this employment.

12	<u>Employer</u>	<u>Location of</u> <u>Exposure</u>	<u>Job Title</u>	<u>Exposure</u> <u>Dates</u>
13	Mission	Mission Unknown location	Insulator	3/1990-5/1990

15 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
if he was exposed to asbestos during this employment.

16	<u>Employer</u>	<u>Location of</u> <u>Exposure</u>	<u>Job Title</u>	<u>Exposure</u> <u>Dates</u>
17	Performance Contracting Inc.	Performance Contracting Inc., Unknown location	Insulator	5/1990-10/1990

20 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
if he was exposed to asbestos during this employment.

21	<u>Employer</u>	<u>Location of</u> <u>Exposure</u>	<u>Job Title</u>	<u>Exposure</u> <u>Dates</u>
22	Thorpe Insulation	Chevron Refinery Wilmington, CA	Insulator	2/1991-3/1991

24 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
25 if he was exposed to asbestos during this employment.

26	<u>Employer</u>	<u>Location of</u> <u>Exposure</u>	<u>Job Title</u>	<u>Exposure</u> <u>Dates</u>
27	Department of Water & Power	Los Angeles Department of Water & Power, Los Angeles, CA	Insulator	5/1991

1 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
 2 if he was exposed to asbestos during this employment.

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
Cherne	Unknown Refinery Long Beach, CA	Insulator	2/1992

5 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
 6 if he was exposed to asbestos during this employment.

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
Pac Therm	Pac Therm Unknown location	Insulator	7/1992

10 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
 11 if he was exposed to asbestos during this employment.

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
Performance Contracting Inc.	Performance Contracting Inc., Unknown location	Insulator	3/1993-7/1993; 9/1995-10/1995

15 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
 16 if he was exposed to asbestos during this employment.

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
Metalclad	Metalclad Unknown location	Insulator	11/1996-2/1997

19 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
 20 if he was exposed to asbestos during this employment.

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
Trico	Trico Unknown location	Insulator	3/1997-4/1997

24 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
 25 if he was exposed to asbestos during this employment.

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
Bechtel	Bechtel Unknown location	Insulator	5/1997

28 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware

1 if he was exposed to asbestos during this employment.

2	<u>Employer</u>	Location of <u>Exposure</u>	Job Title	Exposure <u>Dates</u>
3	Trico	Trico Unknown location	Insulator	12/2001-4/2002

5 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
if he was exposed to asbestos during this employment.

7	<u>Employer</u>	Location of <u>Exposure</u>	Job Title	Exposure <u>Dates</u>
8	Metalclad	Metalclad Unknown location	Insulator	5/2002-6/2002

10 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
if he was exposed to asbestos during this employment.

11	<u>Employer</u>	Location of <u>Exposure</u>	Job Title	Exposure <u>Dates</u>
12	Trico	Trico Unknown location	Insulator	7/2002-9/2002

14 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
15 if he was exposed to asbestos during this employment.

16	<u>Employer</u>	Location of <u>Exposure</u>	Job Title	Exposure <u>Dates</u>
17	Cherne	Cherne Unknown location	Insulator	12/2002-2/2003

19 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
if he was exposed to asbestos during this employment.

20	<u>Employer</u>	Location of <u>Exposure</u>	Job Title	Exposure <u>Dates</u>
21	Avalotis	Burbank Department of Water and Power, Burbank, CA	Insulator	1/2005-5/2005

24 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
25 if he was exposed to asbestos during this employment.

26	<u>Employer</u>	Location of <u>Exposure</u>	Job Title	Exposure <u>Dates</u>
27	F. Rodgers Insulation	Redlands Powerhouse Redlands, CA	Insulator	5/2005-10/2005
28	Far West			12/2005

1 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
 2 if he was exposed to asbestos during this employment.

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
Performance Contracting Inc.	Mobil-Torrance Wilmington, CA	Insulator	3/2006-6/2006

5 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
 6 if he was exposed to asbestos during this employment.

<u>Employer</u>	<u>Location of Exposure</u>	<u>Job Title</u>	<u>Exposure Dates</u>
Performance Contracting Inc.	National Steel & Shipbuilding, San Diego, CA	Insulator	9/2006-12/2006

10 Job Duties: Plaintiff's investigation and discovery are continuing. Plaintiff is currently unaware
 11 if he was exposed to asbestos during this employment.

12 Throughout plaintiff's career, he used JOHNS-MANVILLE lagging, blocks, and pipecovering;
 13 KEENE asbestos cement; 3M masks; TUFF BOND adhesive at refineries and shipyards; and
 14 CHICAGO FIRE BRICK refractory bricks. Plaintiff worked with the following co-workers in
 15 some time frame: Lawrence "Buddy" Rogers, c/o Brayton♦Purcell LLP at San Onofre Nuclear
 16 Power Plant, California; and Scott Abbott, c/o Brayton♦Purcell LLP at Los Angeles Department
 17 of Water and Power, Los Angeles, California.

18 For the purpose of this case, plaintiff currently does not contend exposure to asbestos after 1986.

19 NON-OCCUPATIONAL EXPOSURE:

20 FRiction EXPOSURE:

21 1967 FORD GTO: Plaintiff purchased a used car in 1979 or 1980. During that same year,
 22 plaintiff replaced the original carburetor, original manifold, original header gaskets, and brakes.
 23 Plaintiff purchased a HOOKER HEADERS gasket kit. Plaintiff was assisted by cousin Henry
 24 Conwright, San Diego, California.

25 1981 MAZDA 626 Coupe: Plaintiff purchased this car new in 1981. Plaintiff replaced the
 26 original brakes and was assisted by cousin Henry Conwright, San Diego, California.

27 Plaintiff and his cousin, Henry Conwright, San Diego, California, purchased A.C. DELCO
 28 brakes for majority of the cars they worked on from KRAGEN, Euclid Avenue, San Diego,
 California; and AUTOZONE, Federal Boulevard, San Diego, California. Plaintiff currently
 contends that he was exposed to asbestos during this vehicle repairs.

Plaintiff's investigation and discovery are continuing.

27. Yes.

28 a. Heat & Frost Asbestos Union Local 5, 670 East Foothill Boulevard, #2,
 Azusa, California 91702.

1 b. 1979.

2

3 a. Ironworkers Union (NASSCO), 28th & Harbor, San Diego, California.

4 b. 1977 to 1979.

5 28. 1981.

6 29. Plaintiff recalls first becoming aware that exposure to asbestos was a potential
7 health hazard at school.

8 30. Approximately 1979. Plaintiff's investigation and discovery are continuing.

9 31. Approximately 1979, when working for Thorpe, at the direction of his foreman,
10 Greg Studmond. Plaintiff's investigation and discovery are continuing.

11 32. Yes.

12 a. PCI.

13 b. Pulmonary test, blood pressure test, weight.

14 c. One, in 2006.

15 d. Required.

16 e. Yes.

17 f. 2006.

18 g. Yes, in 2006.

19 h. Plaintiff does not recall.

20 i. Not applicable.

21 j. Plaintiff's investigation and discovery are continuing.

22 33. Plaintiff stopped working December 4, 2006 due to stress, and hip and back pain.

23 34. No.

24 35. See Interrogatory No. 33, above.

25 36. Yes, please refer to the Non-Occupational Exposure section of Interrogatory No.
26, above.

27 37. Plaintiff's investigation and discovery are continuing.

28 38. The total hospital expense is unknown at this time and plaintiff has provided

1 authorizations for release of this information. Plaintiff's investigation and discovery are
2 continuing.

3 39. The total medical expense is unknown at this time and plaintiff has provided
4 authorizations for release of this information. Plaintiff's investigation and discovery are
5 continuing.

6 40. No.

7 41. No.

8 42. Plaintiff currently is not claiming any wage or earning loss.

9 43. No.

10 44. No.

11 45. No.

12 46. No.

13 47. No.

14 48. No.

15 49. No.

16 50. No, plaintiff's investigation and discovery are continuing.

17 Dated: 5/31/07

18 BRAYTON & PURCELL LLP

19 By:

20 Eric C. Solomon
21 Attorneys for Plaintiff

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1 **VERIFICATION TO FOLLOW**
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BRAYTON ♦ PURCELL, L.P.
ATTORNEYS AT LAW
222 RUSH LANDING ROAD
PO BOX 6169
NOVATO, CALIFORNIA 94948-6169
(415) 898-1555

PROOF OF SERVICE

I, Joyce Diala, do hereby declare and state:

I am employed in the city of Petaluma, County of Sonoma, California. I am over the age of 18 and not a party to the within action. My business address is 1009 Clegg Court, Petaluma, CA 94954.

On MAY 14 2007, I served the within:

Answers to Interrogatories

Re: William Matthias Sr

on the parties in this action by placing a true copy thereof in a sealed envelope, and envelope addressed as follows:

By mail Service:

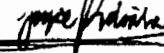
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(Defendants that are crossed out are not being served)

I am readily familiar with the business practice at my place of business for collection and processing of correspondence for delivery by mail. Correspondence so collected and processed is deposited with the United States Postal Service on the same day in the ordinary course of business. On the above date the said envelope was collected for the United States Postal Service following ordinary business practices.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed MAY 14 2007, at Petaluma, California.



Joyce Diala

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Adams Nye Siunu Bruni Becht LLP
 222 Kearny Street, Seventh Floor
 San Francisco, CA 94108
 415-982-8955 415-982-2042 (fax)
Defendants:
 Thorpe Insulation Company (THRP)N

Bowman and Brooke LLP
 879 West 190th Street
 Suite 700
 Gardena, CA 90248-4227
 310-768-3068 310-719-1019 (fax)
Defendants:
 Ford Motor Company (FORD)
 General Motors Corporation (GM)

Glaspy & Glaspy
 One Walnut Creek Center
 100 Pringle Avenue, Suite 750
 Walnut Creek, CA 94596
 925-947-1300 925-947-1594 (fax)
Defendants:
 CSK Auto, Inc. (CSKAUT)
 Garlock Sealing Technologies, LLC
 (GARLCK)

Jackson & Wallace
 55 Francisco Street
 Sixth Floor
 San Francisco, CA 94133
 415-982-6300 415-982-6700 (fax)
Defendants:
 Goodloe E. Moore Inc (GOOMOO)

Law Offices of Mark H. Rosenthal
 44 Montgomery Street, Suite 4020
 San Francisco, CA 94104-4602
 415-986-1364 415-291-1984 (fax)
Defendants:
 Crown Cork & Seal Company, Inc.
 (CC&S)

Lewis Brisbois Bisgaard & Smith LLP
 One Sansome Street
 Suite 1400
 San Francisco, CA 94104
 415-362-2580 415-434-0882 (fax)
Defendants:
 Plant Insulation Company (PLANT)

Pond North, LLP
 350 South Grand Avenue, Suite 2850
 Los Angeles, CA 90071
 213-617-6170 213-623-3594 (fax)
Defendants:
 Viacom, Inc. (VIACOM)

Bassi, Martini, Edlin & Blum
 351 California Street, Suite 200
 San Francisco, CA 94104
 415-397-9006 415-397-1339 (fax)
Defendants:
 J.T. Thorpe & Son, Inc. (THORPE)
 Parker-Hannifin Corporation (PARKHF)

Brydon Hugo & Parker
 135 Main Street, 20th Floor
 San Francisco, CA 94105
 415-808-0300 415-808-0333 (fax)
Defendants:
 National Steel and Shipbuilding Company
 (NASSCO)

Haight, Brown & Bonesteel
 71 Stevenson Street, 20th Floor
 San Francisco, CA 94105-2981
 415-546-7500 415-546-7505 (fax)
Defendants:
 International Truck & Engine Corporation
 (INTTRK)

Klinedinst, Fleibman, et al.
 501 West Broadway
 Suite 600
 San Diego, CA 92101
 619-239-8131 619-238-8707 (fax)
Defendants:
 Southwest Marine, Inc. (SWMAR)

Law Offices of Nancy E. Hudgins
 565 Commercial, 4th Floor
 San Francisco, CA 94111
 415-979-0100 415-979-0747 (fax)
Defendants:
 Uniroyal Holding, Inc. (UNIROY)

Luce, Forward, Hamilton, et al.
 121 Spear Street
 Suite 200
 San Francisco, CA 94105
 415-356-4600 415-356-4610 (fax)
Defendants:
 Southwest Marine, Inc. (SWMAR)

Schiff Harden LLP
 One Market Plaza
 Spear Street Tower, 32nd Floor
 San Francisco, CA 94105
 415-901-8700 415-901-8701 (fax)
Defendants:
 Owens-Illinois, Inc. (OI)

Berry & Berry
 P.O. Box 16070
 2930 Lakeshore Avenue
 Oakland, CA 94610
 510-835-8330 510-835-5117 (fax)
Defendants:
 Berry & Berry (B&B)

Filice, Brown, Eissa & McLeod LLP
 1999 Harrison Street, 18th Floor
 Oakland, CA 94612-0850
 510-444-3131 510-839-7940 (fax)
Defendants:
 Ford Motor Company (FORD)
 General Motors Corporation (GM)
 Mazda North American Operation
 (MAZDA)

Hassard Bonnington
 Two Embarcadero Center
 Suite 1800
 San Francisco, CA 94111
 415-288-9800 415-288-9802 (fax)
Defendants:
 Sequoia Ventures, Inc. (SEQUOA)

Law Offices of Lucinda L. Storm, Esq.
 610A Third Street
 San Francisco, CA 94107
 415-777-6990 415-777-6992 (fax)
Defendants:
 Pacific Gas & Electric Company (PG&E)

Law Offices of Peter J. Nova
 P.O. Box 1328
 Sonoma, CA 95476
 707-938-9610
Defendants:
 Parker-Hannifin Corporation (PARKHF)

Perkins Coie LLP
 Four Embarcadero Center, Suite 2400
 San Francisco, CA 94111
 415-344-7000 415-344-7288 (fax)
Defendants:
 Honeywell International, Inc. (HONEYW)

Sedgwick, Detert, Moran & Arnold
 One Market Plaza
 Steuart Tower, 8th Floor
 San Francisco, CA 94105
 415-781-7900 415-781-2635 (fax)
Defendants:
 General Electric Company (GE)
 Pacific Gas & Electric Company (PG&E)

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Run By : Chow, Linda (LPC)

Sonnenschein Nath & Rosenthal, LLP
 525 Market Street, 26th Floor
 San Francisco, CA 94105-2708
 415-882-5000 415-882-0300 (fax)
Defendants:
 Rapid-American Corporation (RAPID)

Thelen Reid Brown Raysman & Steiner LLP
 101 Second St., Ste 1800
 San Francisco, CA 94105
 415-371-1200 415-644-6519 (fax)
Defendants:
 DaimlerChrysler Corporation (CHRYS)

Towle, Denison, Smith & Tavares
 10866 Wilshire Blvd
 Suite 600
 Los Angeles, CA 90024
 310-446-5445 310-446-5447 (fax)
Defendants:
 Parker-Hannifin Corporation (PARKHF)

Travis & Pon
 2271 California Street
 San Francisco, CA 94115
 415-923-1200 415-673-6263 (fax)
Defendants:
 Plant Insulation Company (PLANT)

Walsworth, Franklin, Bevins & McCall
 One City Boulevard W.
 5th Floor
 Orange, CA 92868-3677
 714-634-2522 714-634-0686 (fax)
Defendants:
 Southern California Edison Company
 (SCECO)

Walsworth, Franklin, Bevins & McCall
 601 Montgomery Street, 9th Floor
 San Francisco, CA 94111
 415-781-7072 415-391-6258 (fax)
Defendants:
 Thomas Dee Engineering Co., Inc. (DEE)